

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 15 October 1999
Name of applicant/court: Fraser Donald Munro
Applicant to the Labelling Body: Not Applicable
Title of Publication: Magee - Fist4.jpg
Other Known Titles: Not Stated
Director: Not Applicable
Producer: Not Applicable
Publisher: Not Applicable
Author: Not Applicable
Format: Computer Printout
Country of Origin: Not Applicable
Language: Not Applicable

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Components of film originally examined: Not Applicable.

Feature: Running time:
Trailers: Running time:
Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

Display Conditions:

That when the publication is on public display, the classification given to the publication must be shown on the publication or any package in which the publication is kept.

and

That the publication must be publicly displayed only in a sealed package.

and

That where the publication is publicly displayed in a package, the package must be made of opaque material.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *Magee – Fist4.jpg* is classified as:
Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

This classification is based on the publication's explicit treatment of sexual activity, its degrading and dehumanising elements, and its purpose, that of sexual arousal.

The publication is, according to the applicant, a printout of a computer image file. It contains a photographic image of a woman inserting her hands into another woman's vagina and anus, while the latter fellates a man. The image, despite a low quality of reproduction, shows this sexual activity explicitly.

None of the matters under s3(2) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act) are relevant to the publication. However, s3(3)(c) of the FVPC Act is relevant. The publication degrades and dehumanises women to a moderate

extent and degree, through the way it emphasises women's body parts, and extreme penetration of one woman's vagina and anus in particular. The publication focuses on details of penetration, presenting the activity as a spectacle and giving an impression of her as a set of orifices. However, other factors in the publication combine to give a sense of both women and the man engaging in sexual activity, rather than simply of them being viewed as a set of body parts. These include the way the image shows the women as comfortable and active participants in the activity, and the way it shows their facial expressions.

The publication, as a computer printout, has a strong visual impact, slightly lessened by its poor quality of reproduction. The publication is not particularly likely to be distributed in its present form, although the computer image file from which it is said to derive can be widely distributed, for instance via the Internet or email. The submitter states that he is not involved in the commercial distribution of images such as this. The publication is intended for the sexual arousal of adults.

The Classification Office has considered the relevant criteria of the New Zealand Bill of Rights Act 1990 in relation to this classification. The Classification Office is of the view that this restriction is the minimum one needed to avoid likely injury to the public good, and that it is reasonable and demonstrably justified.

OFLC Ref: 9901830